



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF LAW

124 HALSEY STREET

P.O. BOX 45029

NEWARK, NJ 07101

Email: @law.dol.lps.state.nj.us

Tel No. (973) 648-4742

FILED

SEP 25 2000

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

John J. Farmer, Jr.
Attorney General

Jeffrey J. Miller
Assistant Attorney General
Director

CHRISTINE TODD WHITMAN
Governor

September 25, 2000

Kevin B. Earle, Executive Director
Board of Chiropractic Examiners
124 Halsey Street, 6th Floor
Newark, NJ 07102

Re: Alan L. Marcus, D.C.
Application for Relief from
Order Entered on January 14, 1999

Dear Mr. Earle:

Enclosed please find a copy of a supplementary Certification of Counsel along with a letter received from Joseph A. DelRusso, Chief Assistant Prosecutor of the Passaic County Prosecutor's Office. Would you please add this to the materials which were already forwarded supporting the Attorney General's opposition to the motion presently before the Board.

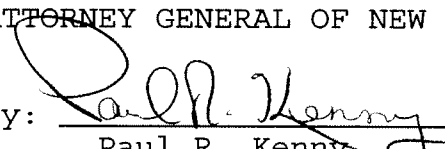
I am also supplying copies of this to my adversary and the counseling deputy.

Thank you for your assistance.

Respectfully submitted,

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY

By:


Paul R. Kenny

Deputy Attorney General

c: Kalman Harris Geist, Esq.
Beatriz Valera-Schutz, DAG
John Hugelmeyer, DAG

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
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JUN 25 2000
NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION)
OR REVOCATION OF THE LICENSE OF:

ALAN L. MARCUS, D.C.
LICENSE NO. MC1604

Administrative Action

CERTIFICATION

TO PRACTICE CHIROPRACTIC IN THE
STATE OF NEW JERSEY)

PAUL R. KENNY, certifies and says:

1. I am an attorney at law in the State of New Jersey, a deputy attorney general and the Section Chief in the Consumer Affairs Prosecution Section.

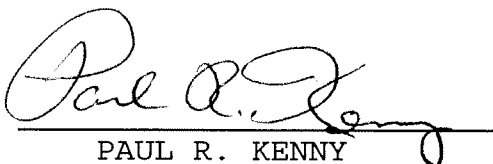
2. As Section Chief in the Consumer Affairs Prosecution Section, I am familiar with the details of this case.

3. As the result of assertions from respondent, Alan L. Marcus, D.C., regarding the progress of his pending criminal matter in Passaic County, I contacted Joseph A. DelRusso, Chief Assistant Prosecutor of the Passaic County Prosecutor's Office.

4. Attached to this Certification is a copy of a letter which I received from Mr. DelRusso indicating that this matter in fact is progressing in the courts and that pre-trial hearings commenced in

May, 2000 regarding the admissibility of testimony of seven additional women allegedly sexually molested by the respondent during chiropractic treatment. A copy of Mr. DelRusso's letter is attached hereto and made a part hereof.

I certify that the foregoing statements made by me are true. I am aware that if any of these statements are willfully false, I am subject to punishment.


PAUL R. KENNY

Dated: September 25, 2000



County of Passaic

Administration Building

401 Grand Street • Paterson, New Jersey 07505

Passaic County Prosecutor's Office

(973) 881-4800

RONALD S. FAVA

Passaic County Prosecutor

BORIS MOCZULA

First Assistant Prosecutor

September 22, 2000

Paul R. Kenny, Deputy Attorney General
Office of the Attorney General
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, NJ 07101

Re: Re: State v Marcus
Indictment No. 99-05-0459
C-146-98

Dear Deputy Attorney General Kenny:

Please be advised that the above matter is currently before the Honorable Ronald B. Sokalski. In May 2000 pre-trial hearings were commenced to determine the admissibility of the testimony of seven women allegedly sexually molested by the defendant during chiropractic treatment. Their cases cannot be prosecuted criminally since they are time-barred. Their testimony may, however, be admissible to support the victims who are the subject of the indictment. Six women have already testified and been cross-examined. One witness' testimony remains.

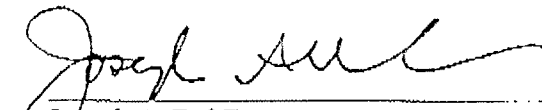
I expect that we will resolve this admissibility question within the next 90 days. Once we hear from the last witness Judge Sokalski will be in a position rule whether the allegations are credible and relevant. The standard of proof is clear and convincing evidence. Thus, in short order, we will have an adjudication concerning the trustworthiness of over half of the complaints in the administrative action.

If you have any questions, I can be reached at (973) 881-4362.

Very truly yours,

RONALD S. FAVA
PASSAIC COUNTY PROSECUTOR

By:


Joseph A. Del Russo
Chief Assistant Prosecutor
Major Crimes Unit

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102

By: Paul R. Kenny
Deputy Attorney General
(973) 648-4742

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION)
OR REVOCATION OF THE LICENSE OF:

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Administrative Action

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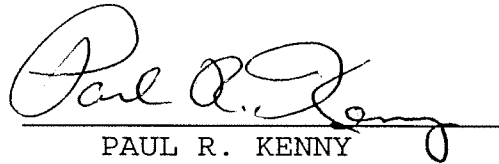
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RONALD S. FAVA*Passaic County Prosecutor***BORIS MOCZULA***First Assistant Prosecutor*

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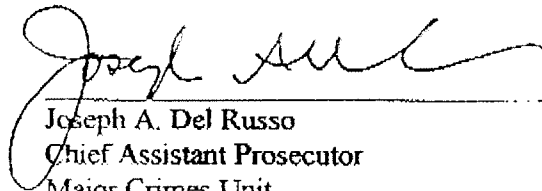
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